

Message Text

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E.O. 11652: N/A

TAGS: SENV, CA

SUBJECT: CONTINGENCY PRESS GUIDANCE - GARRISON DIVERSION
UNIT

1. FOLLOWING BACKGROUND AND GUIDANCE HAS BEEN GIVEN TO
DEPARTMENT'S PRESS OFFICE TO RESPOND TO QUESTIONS RELATED
TO THE PUBLISHING OF THREE DEPARTMENT OF THE INTERIOR
MEMORANDA ON THE GARRISON DIVERSION UNIT.

2. THREE DEPARTMENT OF THE INTERIOR MEMORANDA (ATTACHED)
ON THE GARRISON DIVERSION UNIT WILL BE INSERTED IN THE
JUNE 17 CONGRESSIONAL RECORD AT THE REQUEST OF CONGRESSMAN
MOORHEAD. YOU WILL NOTE THAT THE JANUARY 14 MEMORANDUM
INDICATES THAT THE ASSISTANT SECRETARY OF THE INTERIOR IN-
FORMED THE UNDER SECRETARY OF THE INTERIOR THAT SPECIFIC
INFORMATION ABOUT ALTERNATIVES TO THE PROJECT SHOULD BE
WITHHELD FROM THE STATE DEPARTMENT TWO DAYS PRIOR TO A HIGH
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LEVEL MEETING ON GARRISON WITH THE CANADIANS. WE WERE

AWARE THAT STUDIES TO PROVIDE THIS INFORMATION WERE CONTEMPLATED, BUT WERE NOT AWARE THAT THEY WERE AVAILABLE PRIOR TO THE MEETING. AT THE MEETING IT WAS DECIDED, AD REFERENDUM, THAT THE GOVERNMENTS SHOULD CONSIDER REFERRING THE QUESTION OF THE TRANSBOUNDARY IMPLICATIONS OF THE PROJECT TO THE INTERNATIONAL JOINT COMMISSION. THE INTERIOR

DEPARTMENT MEMORANDUM OF MARCH 12 STATES "THE DEPARTMENT (INTERIOR) WILL NOT BE IN A GOOD POSITION TO INFLUENCE THE STUDY UNDER IJC, ALTHOUGH GIL STAMM (COMMISSIONER OF RECLAMATION) WILL HEAD UP THE ENGINEERING GROUP THAT WILL LIKELY BE ASSIGNED THE RESPONSIBILITIES FOR CARRYING OUT THIS STUDY."

3. WE SUGGEST THE FOLLOWING RESPONSES TO QUESTIONS FROM THE PRESS.

Q. IS THE DEPARTMENT OF STATE AWARE OF THE THREE MEMORANDA?

A. YES, COPIES HAD BEEN REQUESTED BY THE DEPARTMENT PRIOR TO THEIR RELEASE. THEY ARE NOW UNDER STUDY WITHIN THE DEPARTMENT.

Q. THE JANUARY 14 MEMORANDUM INDICATES THAT THE DEPARTMENT OF THE INTERIOR DELIBERATELY WITHHELD INFORMATION FROM THE DEPARTMENT OF STATE ON THE PROJECT. WHAT IS THE DEPARTMENT'S REACTION TO THIS DISCLOSURE?

A. AS THE DEPARTMENT OF STATE IS CHARGED WITH CONDUCTING OUR FOREIGN RELATIONS, WE BELIEVE THAT THE INTERIOR DEPARTMENT'S DECISION TO WITHHOLD THIS INFORMATION WAS UNFORTUNATE.

Q. DO YOU BELIEVE THAT THE DECISION TO WITHHOLD THIS INFORMATION AFFECTED THE OUTCOME OF THE JANUARY 16 MEETING WITH CANADIAN OFFICIALS?

A. AS YOU ARE AWARE, THE CANADIAN GOVERNMENT HAS TAKEN THE POSITION THAT THE GARRISON DIVERSION, AS PRESENTLY UNCLASSIFIED

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PLANNED, WOULD CAUSE INJURY TO HEALTH AND PROPERTY IN CONTRAVENTION TO 1909 BOUNDARY WATERS TREATY. INsofar AS THE MEMORANDUM DISCUSSES ALTERNATIVES WHICH MIGHT MEET CANADIAN CONCERNS, WE BELIEVE THAT THIS INFORMATION COULD HAVE AFFECTED THE OUTCOME OF THAT MEETING IN A POSITIVE FASHION.

Q. HOW HAS THIS AFFECTED US-CANADIAN RELATIONS?

A. AS YOU ARE AWARE, THERE HAVE BEEN SEVERAL EXPRESSIONS OF CONCERN BY HIGH LEVEL CANADIAN OFFICIALS SINCE THAT MEETING WHICH HAVE CALLED INTO QUESTION OUR DESIRE TO ABIDE BY OUR TREATY COMMITMENTS TO CANADA. AS YOU MAY BE AWARE, IN FEBRUARY 1974 WE INFORMED THE CANADIAN GOVERNMENT THAT NO CONSTRUCTION OF WORKS POTENTIALLY AFFECTING CANADA WOULD BE UNDERTAKEN UNTIL IT WAS CLEAR THAT WE

WOULD MEET OUR OBLIGATIONS. WE BELIEVE THAT OUR CREDIBILITY WOULD NOT HAVE BEEN QUESTIONED IF THE GOVERNMENT OF CANADA HAD BEEN AWARE THAT THE BUREAU OF RECLAMATION AND THE DEPARTMENT OF THE INTERIOR WERE STUDYING MODIFICATIONS TO THE PROJECT.

Q. THE MARCH 12 MEMORANDUM STATES THAT GIL STAMM, COMMISSIONER OF RECLAMATION WOULD HEAD UP THE IJC ENGINEERING BOARD WHICH WOULD CONSIDER THE PROJECT. IS THIS TRUE?

A. MR. STAMM IS PRESENTLY THE US CO-CHAIRMAN OF THE COMMISSION'S INTERNATIONAL SOURIS-RED RIVER ENGINEERING BOARD. IF THE GOVERNMENTS OF CANADA AND THE UNITED STATES AGREE TO REFER THIS MATTER TO THE COMMISSION, THE COMMISSION, AND THE COMMISSION ALONE, WILL DECIDE ON THE COMPOSITION OF THE BOARD WHICH WILL ADDRESS THIS PROBLEM.

Q. IN VIEW OF THE BUREAU OF RECLAMATION'S DESIRE TO INFLUENCE THE OUTCOME OF THE COMMISSION'S RECOMMENDATIONS, HOW CAN WE BE ASSURED OF THE IMPARTIALITY OF THE BOARD AND THE COMMISSION?

A. -COMMISSION BOARDS ARE COMPOSED OF AN EQUAL NUMBER OF UNCLASSIFIED

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MEMBERS FROM BOTH COUNTRIES, WHICH ASSURES THAT RECOMMENDATIONS TO THE COMMISSION WILL BE IMPARTIAL. LIKEWISE, THE COMMISSION ITSELF IS COMPOSED OF AN EQUAL NUMBER OF REPRESENTATIVES FROM BOTH COUNTRIES. IN THIS RESPECT, I BELIEVE THAT THE WORDING OF THE MEMORANDUM DOES MAKE CLEAR, IF ONLY IMPLICITLY, THE INTERNATIONAL JOINT COMMISSION'S REPUTATION FOR IMPARTIAL DECISIONS.

Q. DOES THE DEPARTMENT OF STATE STILL BELIEVE THAT A REFERENCE TO THE IJC WOULD BE USEFUL?

A. WE HOPE TO BE CONSULTING WITH CONCERNED US AGENCIES ON THIS MATTER IN THE NEAR FUTURE.

Q. IN VIEW OF THE CONTENTS OF THESE MEMORANDA, DOES THE

DEPARTMENT OF STATE INTEND TO CHANGE ITS POSITION AND
SUPPORT CONGRESSMAN MOORHEAD'S PROPOSAL TO PLACE A
MORATORIUM ON CONSTRUCTION?

A. AS I INDICATED EARLIER, THE DEPARTMENT IS REVIEWING
THE ENTIRE MATTER. PENDING THE OUTCOME OF THAT REVIEW, I
DON'T BELIEVE THAT I COULD USEFULLY COMMENT FURTHER ON
THIS MATTER. KISSINGER

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